

CITY COUNCIL

Housing, Economic Development and Strategies Committee

**Monday, July 2, 2012
5:00 pm
City Council Office**

The Housing, Economic Development and Strategies Committee's responsibilities includes Housing Planning strategies, Building Code/Inspection, Economic Development, Citywide Economic Development Programs, Small Businesses, Business Improvement Districts and Enterprise Zones.

Committee Members: Randy Corcoran (Chair), Marcia Goodman Hinnershitz (Vice-Chair) and Jeffrey Waltman

Although Council committee meetings are open to the public, public comment is not permitted at Council Committee meetings. However, citizens are encouraged to attend and observe the meetings. Comment from citizens or professionals during the meeting may be solicited on agenda topics via invitation by the Committee Chair.

All electronic recording devices must be at the entry door in all meeting rooms and offices, as per Bill No. 27-2012

- I. Rain Barrel Regulations – D. Beane, EAC**
- II. Property Maintenance – R. Natale**
 - 1. Review PM Monthly Report and QoL Monthly Report**
 - 2. Update on Rental Permit Process**
 - 3. Update Certificate of Transfer – start date July 1**
 - 4. Outcomes of MDJ Rulings on Codes Cases**
Guilty, Not Guilty, Dismissed

III. Update on Zoning Backlog and Start of Hearings

IV. CD - L. Agudo

1. Update on Microloan Program Loans (delinquent & current)

- Section 108 Loans funded through HUD
- Micro Loan Family Loan Program through Fulton Bank
- Micro Loan Enterprise Loan, which has funding that was not authorized by Council – corrective legislation required

2. Update on Implementation of Housing Strategy

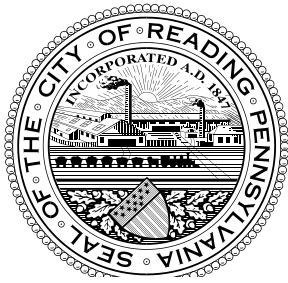
3. Update on Status of Economic Development Strategy

IX. Yard Waste Collection

Discussion re alternative to current program consider collection program used in Cumru and Laureldale – Recommendation from E. Lloyd

Follow Up Items

- February 2012 – Plumbing Code Amendment
- Report on disposition of Codes Cases at MDJ Hearings
- Request receipt of monthly Codes Report
- Review RFPs for Delinquent BPL and other fee/tax collection
- Update on Certificate of Transfer ordinance amendment and pilot program
- Resolutions for KOZ (expansion and extension)
- Resolution to fund Micro Loan Enterprise Program
- Response to questions posed by REIA – Meeting scheduled for 6-5-12 w. R. Corcoran



CITY COUNCIL

Housing, Economic Development & Strategies Committee

Meeting Report Monday, June 4, 2012

Committee Members Attending: R. Corcoran, Chair, J. Waltman, M. Goodman-Hinnershitz

Others Attending: L. Kelleher, R. Natale, C. Younger, E. Lloyd

Mr. Corcoran, Chair, called the meeting to order at approximately 5:43 pm.

Maryanne Ciarlone requested permission to address the committee. Mr. Corcoran agreed to provide Ms. Ciarlone with a comment period of 3 minutes.

Ms. Ciarlone expressed the belief that the inclusion of language in minutes of this committee relating to the inclusion or invitation to REIA (Real Estate Investors Association) is erroneous as an invitation was never made through REIA Secretary Tina Furman. She suggested recording committee meetings for public consumption.

Mr. Corcoran and Ms. Goodman-Hinnershitz asked Ms. Kelleher if committee meetings were ever recorded. Ms. Kelleher stated that committee meetings have never been recorded as committee sessions are considered informal working group meetings. She also stated that Council cannot prohibit the public from recording committee meetings as the meetings are considered public meetings. She noted that Bill No. 27-2012 places regulation around the public's ability to record meetings.

Ms. Kelleher reported receiving an email from Mr. Agudo, who requested altering the timing of the QoL discussion as he is needed on a conference call with the Mayor and

Council President and Edmonton officials.

Certificate of Transfer

Mr. Natale distributed his monthly report and a power point on the Certificate of Transfer process. He stated that he is in the process of hiring the personnel needed to successfully run the post-settlement inspection associated with the Certificate of Transfer program and to provide for rental inspections every 2-3 years. He stated that some connectivity issues are being corrected with the new IPADS.

Mr. Natale reported that the Certificate of Transfer process will start in Zoning and the Zoning Administrator will provide the seller/owner and his agent zoning designation for the property (retail, rental, commercial laundry, etc) and the zoning district that the property is located in. This information will provide the seller/owner and agent with knowledge about how the property can be advertised and used. Codes will send the seller information about the post-settlement inspection process and other educational materials. It is expected that the seller/owner or his agent will inform the buyer about the post-settlement requirement. He noted that the current post-settlement applies only to residential properties; however, the new version applies to all properties, including commercial properties.

Mr. Corcoran inquired if the settlement company can withhold the post settlement inspection fee when the settlement occurs. Mr. Natale stated that the fee will be charged when the inspection is scheduled. He noted that the Recorder of Deeds sends property transfer information to the City daily.

Property Maintenance Monthly Report & MDJ Rulings

Mr. Natale reviewed the outcomes included in the monthly report as follows:

- Guilty – 45
- Not Guilty 17
- Dismissed - 22

Zoning Backlog

Ms. Kelleher reported that the Business Analyst and Zoning Administrator have drafted letters rejecting the zoning applications that are in the backlog. The initial letters going out are focused on properties that can be approved or rejected by the Zoning Administrator. Letters to the properties to be addressed by the Hearing Master will go out next.

Ms. Kelleher stated that she is concerned that Council hearings may begin to fall during

the budget review process and she asked the Business Analyst to begin phasing them in at a rate of approximately five at a time. She noted that it is difficult to predict how many of the property owners will respond.

Housing Ordinance Update

Mr. Natale reported that the Division is getting an improved handle on illegal rentals. He also described the coordination between the various offices such as Trades and Fire.

Mr. Corcoran inquired about the random scheduling of inspections. Mr. Natale explained that searches are computerized. The program searches for a property that requires an inspection, based on the date of the last inspection. The computer then automatically searches for other properties that require inspections that are in the vicinity of the initial property.

Yard Waste Collection

Ms. Goodman-Hinnershitz stated that this topic began in the Public Works/Safety Committee, where Mr. Jones stated that the City could not collect grass clippings for compost due to the chemicals that are applied to the grass.

Ms. Kelleher stated that at Mr. Corcoran's request, she conducted a survey of approximately 75 municipalities inquiring about their yard waste collection practices. She said that 25-30 municipalities responded which makes the sample valid. She stated that the majority of the municipalities who responded collect grass clippings. She stated that although there are municipalities with drop off sites, these sites are difficult to manage and are often expensive due to the amount of illegal dumping that occurs. She expressed the belief that a better option would be the Lebanon or Laureldale approach, which is a pay to use program. Here residents who want disposal for grass clippings pay an annual fee to either have their clippings collected or to have access to a closed drop off site.

Mr. Corcoran stated that the current program does not work for all property owners. He also said that he recently purchased a mulching blade for his mower; however, the instructions recommend cutting your lawn 2-3 times per week, which is challenging for the average property owner. He agreed with the need for the City to find a better option.

Ms. Kelleher suggested that the Committee decide which option they prefer, which can be discussed with Public Works. She suggested the pay to participate option, as the majority of property owners in the City will not need grass clipping removal.

Mr. Lloyd agreed with the need to reevaluate the yard waste system. He stated the Mayor is considering a drop off location near Egleman's Park for Reading, Mt. Penn and Lower Alsace. Ms. Kelleher stated that a drop off site is problematic. She noted that Muhlenberg operated a drop off site that handles yard waste for other municipalities. She stated that two of the responding municipalities use Muhlenberg's site. She suggested exploring that as an option for Reading.

Ms. Goodman-Hinnershitz suggested further discussion at a Council Work Session.

Mr. Lloyd stated that he is working on a proposal for the Mayor. Mr. Corcoran asked Mr. Lloyd to be prepared to discuss this proposal at the July 16th Work Session.

Quality of Life (QoL) Program

Due to Mr. Agudo's participation on a conference call with the Mayor, Council President and Edmonton officials, the discussion was deferred to the June Work Session.

Other Matters

Ms. Goodman-Hinnershitz noted the need for Council to consider adding ICC initiatives to committee agendas so the work is less scattered and more focused. Ms. Kelleher stated that this topic is on the June 11th Committee of the Whole agenda.

The meeting adjourned at approximately 8 pm.

Respectfully submitted by Linda Kelleher CMC, City Clerk

FOLLOW UP ISSUES

1. Report on disposition of Codes Cases at MDJ Hearings
2. Request receipt of monthly Codes Report
3. Review RFPs for Delinquent BPL and other fee/tax collection
4. Update on Certificate of Transfer ordinance amendment and pilot program
5. Resolutions for KOZ (expansion and extension)
6. Resolution to fund Micro Loan Enterprise Program
7. Response to questions posed by REIA

ORDINANCE NO. ____-2012

**AN ORDINANCE REGULATING THE DESIGN, CONSTRUCTION, INSTALLATION
AND OPERATION OF RAIN BARRELS IN THE CITY OF READING**

WHEREAS, the use of Rain Barrels as a means of collecting rainwater is determined by City Council to be an important water conservation measure; and

WHEREAS, City Council desires to provide for, promote and regulate the use of Rain Barrels in the City of Reading, which objective must necessarily include scheduling workshops to properly educate City residents about the proper use of Rain Barrels; and

WHEREAS, in order to accomplish this objective, it is necessary to amend the Code of Ordinances of the City of Reading; and

WHEREAS, City Council desires to provide for such an amendment in the form of a new Chapter to be entitled Resource Conservation, the first Article of which will be entitled Rain Barrels.

NOW THEREFORE, be it ordained by City Council that Chapter **28** of the Code of Ordinances of the City of Reading, entitled Resource Conservation, is hereby established, and that ~~Article~~ Part One of Chapter **28** shall provide as follows:

Chapter 28, ~~Article~~ Part 1: Rain Barrels

§28-1. Definitions

As used in this ~~Article~~ Part, the following terms shall have the meanings indicated:

COLLECTING STRUCTURE: Any house, garage, building or canopy that possesses a roof drainage system utilized to collect precipitation and/or rainwater in a containment vessel.

NON-POTABLE: Water that has not been examined, properly treated and approved as safe for consumption.

RAIN BARREL: A ready-made or self-fabricated aboveground durable fiberglass, polypropylene, resin, recycled steel or lined wooden containment vessel that collects rainwater for Non-Potable outdoor use from a rooftop drainage system.

§28-2. Authorized Users

Rain Barrels may only be installed by fee simple owners of real property, or by tenants who obtain written permission from the owner prior to installation.

§28-3. Authorized Uses

Rain Barrels shall only be used to collect rainwater for Non-Potable use on lawns and gardens, for irrigation, for washing vehicles and for other outdoor uses. Under no circumstances shall water from a Rain Barrel be used for any potable purpose, including without limitation drinking, cooking or bathing.

§28-4. Maximum Size and Number

The maximum capacity of a Rain Barrel shall not exceed 75 gallons. Multiple interconnected Rain Barrels are permitted.

§28-5. Height

The height of a Rain Barrel shall not exceed six feet above the surrounding grade. An elevated platform is permitted, but the height of the Rain Barrel and platform together shall not exceed the six foot height limitation.

§28-6. Location

- A. Rain Barrels shall be installed aboveground.
- B. Rain Barrels shall not be placed less than one foot away from any Collecting Structure.
- C. To prevent tipping, Rain Barrels shall be placed on a flat, stable surface or platform.
- D. Rain Barrels must be situated at ground level and may not be installed on porches or decks located above ground level on any multi-story Collecting Structure.
- E. ***Rain Barrels located on sidewalks may not project into the areaway beyond that allowed by regulations of the City Engineer.***

§28-7 Rain Barrels in Historic Districts

- F. Rain Barrels installed in any historic district must conform to any aesthetic design, construction or landscaping requirements of ~~those districts~~ ***the Historical Architectural Review Board and shall require a Certificate of Appropriateness prior to installation***, including any requirement that the Rain Barrels be screened or shielded to obscure their view.

§28-8. Specifications

- A. Rain Barrels may be ready-made or self-fabricated of durable fiberglass, polypropylene, resin, recycled steel or wood.
- B. Wooden Rain Barrels must be lined.
- C. Recycled Rain Barrels may not have been previously used as containment vessels for substances regulated by the Toxic Substances Control Act, 15 U.S.C. §2601 *et seq.*
- D. All interior surfaces of a recycled Rain Barrel must be washed clean with soap and water before the Rain Barrel is put into service.
- E. Every Rain Barrel must be equipped with an automatic stormwater diverter or automatic overflow system so that when the Rain Barrel is full, rainwater is either diverted back into the Collecting Structure's downspout system, or away from the foundation of the Collecting Structure by way of an overflow hose and into a drainage swale. No drainage from an overflow hose shall discharge upon any neighboring property.
- F. Overflow piping must be at least 2" in diameter.
- G. Rain Barrels must be equipped with a mosquito-proof screen on the lid and over the flow

- hole, constructed of corrosion resistant wire or other approved mesh.
- H. Lids on Rain Barrels must be securely fastened to prevent access by small children and animals.
 - I. Rain Barrels fabricated from fiberglass, polypropylene and resin must be opaque in color to inhibit algae growth.
 - J. The exterior of a Rain Barrel shall not be painted or decorated in such a manner that is inconsistent with the surrounding area or offensive to the general senses of neighboring properties and neighboring property owners.
 - K. Where not inconsistent with the standards set forth herein, Rain Barrels shall otherwise conform to the standards for Rain Barrel design, construction and operation set forth in the guidance document *Rainwater Catchment Design and Installation Standards*, published on January the 20th, of 2009 by the American Rainwater Catchment Systems Association and the American Society of Plumbing Engineers.

§28-9. Alternative Materials, Design and Methods of Construction and Equipment

The provisions of this ordinance are not intended to prevent the installation of any material, or to prohibit any design or method of construction not specifically prescribed by this ordinance, provided that any such alternative has been pre-approved by the City Engineer or his/her designee. An alternative material, design or method of construction may be approved, where the City Engineer determines that the proposed design is satisfactory and complies with the intent of this ordinance, and that the material, method or work is offered for the purpose intended, and is at least the equivalent of that prescribed in this ordinance in terms of quality, effectiveness, durability and safety.

§28-10. Connections

Rain Barrels shall be completely isolated from any potable water source.

§28-11. Operation

Rain Barrels shall be operated in such a manner as to avoid creating a public or private nuisance.

§28-12. Maintenance

- A. The operation and maintenance of a Rain Barrel is the responsibility of the property owner.
- B. Rain Barrel screens and associated gutters and downspouts must be kept clear of debris and cleaned as needed to ensure proper operation.
- C. Rain Barrel constituent parts and accessories should be routinely inspected, and if no longer functioning as intended, repaired or replaced.
- D. During periods of time when the outdoor temperature is at or below 32° Fahrenheit, the Rain Barrel shall either be disconnected from its water source, or the volume of water in the Rain Barrel shall be maintained at ½ capacity, or the Rain Barrel shall be drained and its spigot left open.

§28-13. Underground Cisterns and Rain Barrels

Underground cisterns or containment vessels installed below grade are not regulated by this ordinance and require a building permit, drainage plan and approval by the City Engineer.

§28-14. Abandonment

If the owner of a Rain Barrel elects to cease use of, or fails to properly maintain the Rain Barrel, the owner shall abandon the system. To abandon the system, the owner shall remove the Rain Barrel and reconfigure the Connecting Structure's downspouts so that they once again drain into the City's stormwater conveyance system.

§28-15. Enforcement

The Property Maintenance Division of the Department of Community Development for the City of Reading, Pennsylvania, shall enforce this Article Part and its Sections through its officers, inspectors and/or authorized agents.

§28-16. Fines and Penalties

1. Upon complaint, for the first violation of this Part a warning will be issued noting the necessary action to correct the violation. A re-inspection is not necessary.

2. Upon complaint, for the second violation of this Part within a twelve (12) month period, a violation notice shall be issued in the amount of Twenty-Five Dollars (\$25.00) and an educational session is mandatory for the correct operation and maintenance of rain barrels.

3. For the third violation of this Part within a twelve (12) month period, violation notice shall be issued in the amount of Fifty Dollars (\$50.00).

4. For the fourth and subsequent violation of this Part within a twelve (12) month period, a violation notice shall be issued in the amount of One Hundred Dollars (\$100.00).

§28-17. Appeals

Any person aggrieved may appeal the same to the Berks County Court of Common Pleas pursuant to 2 Pa.C.S. §751 and § 752.

§28-18. Full Force and Effect

This Ordinance shall be in full force and effect ten (10) days after its passage, in accordance with Charter Section 219.

§28-19. Conflicting Ordinances

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Enacted _____, 2012

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

Municipality	Yard Waste Collection w/o Grass	Yard Waste Collection w/ grass	Drop Off Site	Disposal
Pottsville		Yes	Yes w/ Grass w/ Surv Camera	Yard waste used for mine reclamation
Shillington	Yes	No	Yes April-Nov no grass unmanned	
Cumru	Yes 2 times per year	Yes w/ purchase of tag for bag	Yes 1 time per month no grass	Taken to Zwicki.
State College	Yes	Yes in 2013	Yes 5 parks w/ grass	Composte w/ leaves
Laureldale		Yes - contract w/ hauler		Composte for free residential mulch
Womelsdorf		Yes - contract w/ hauler		
Pottstown	Yes	No	April-Oct	
Lockhaven	Yes April only			
Bloomsburg	Yes once in Spring and Fall		Yes staffed & open 2 days	Composte
Bethlehem	No	No	Yes 7 days no grass	composte for free residential mulch
Spring	No	No	Yes	Contract w/ Muhlenberg Twp
Easton	No	No	Yes no grass	
Lebanon	Yes spring and fall		Yes w/ Grass \$25 annual charge	
York	Yes march-Dec		No	
Warren	No	No	Yes w/ grass	
Tilden	No	No	No	
Bethel Park		Not limited		
Alsace Twp	NO	No	No	
West Chester	No	No	Yes w/ grass	composte
Chester	No	No	Yes w/ grass	composte